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PTO/SB/05 (03-01)

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# UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket  
No.

88265-7735

Total Pages

24

First Named Inventor or Application Identifier

Dennis WOLEVER

Express Mail Label No.

EV 346 810 665 US

## APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

1. ☒ Fee Transmittal Form (e.g. PTO/SB/17)  
(Submit an original and a duplicate for fee processing)
2. ☐ Applicant claims small entity status  
See 37 CFR 1.27.
3. ☒ Specification Total Pages 20  
(preferred arrangement set forth below)  
-Descriptive title of the Invention  
-Cross Reference to Related Applications  
-Statement Regarding Fed Sponsored R&D  
-Reference to Sequence Listing, a table, or a  
computer program listing appendix  
-Background of the Invention  
-Brief Summary of the Invention  
-Brief Description of the Drawings (if filed)  
-Detailed Description  
-Claim(s)  
-Abstract of the Disclosure
4. ☒ Drawing(s) (35 U.S.C. 113) Figs. 1-2 Total Sheets 2
5. ☒ Oath or Declaration (unexecuted) Total Pages 2  
a. ☐ Newly executed (original or copy)  
b. ☐ Copy from prior application (37 CFR 1.63(d))  
(for continuation/divisional with Box 18 completed)  
i. ☐ DELETION OF INVENTOR(S)  
Signed statement attached deleting inventor(s)  
named in the prior application, see 37 CFR  
1.63(d)(2) and 1.33(b).
6. ☐ Application Data Sheet. See 37 CFR 1.76

ADDRESS TO: Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

7. ☐ CD-ROM or CD-R in duplicate, large table or Computer  
Program (Appendix)
8. Nucleotide and/or Amino Acid Sequence Submission  
(if applicable, all necessary)  
a. ☐ Computer Readable Form (CRF)  
b. Specification Sequence Listing on:  
i. ☐ CD ROM or CD-R (2 copies); or  
ii. ☐ Paper  
c. ☐ Statements verifying identity of above copies.

## ACCOMPANYING APPLICATION PARTS

9. ☐ Assignment Papers (cover sheet & document(s))
10. ☐ 37 CFR 3.73(b) Statement ☐ Power of Attorney  
(when there is an assignee) (Copy attached)
11. ☐ English Translation Document (if applicable)
12. ☒ Information Disclosure Statement (IDS)/PTO-1449  
☒ Copies of IDS Citations
13. ☐ Preliminary Amendment
14. ☒ Return Receipt Postcard (MPEP 503)  
(Should be specifically itemized)
15. ☐ Certified copy of Priority Document(s)  
(if foreign priority is claimed)
16. ☐ Non-publication Request Under 35 U.S.C.  
122(b)(2)(B)(i). Applicant must attach form  
PTO/SB/35 or its equivalent
17. ☐ Other:

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of application no. \_\_\_\_\_ filed \_\_\_\_\_.

Prior Application Information: Examiner: \_\_\_\_\_ Group Art Unit: \_\_\_\_\_

**For CONTINUATION OR DIVISIONAL APPLICATIONS ONLY:** The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

## 19. CORRESPONDENCE ADDRESS

Customer Number or Bar Code

CUSTOMER NO. 28765

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ADDRESS

CITY

STATE

ZIP CODE

COUNTRY

TELEPHONE

FAX

Name (Print/Type)

Allan A. Fanucci

Registration No.: 30,256

Signature

*Allan A. Fanucci*

Date

3-12-04

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212-294-6700

ATTORNEY DOCKET NO.:88265-7735

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Sir:

The following utility patent application is enclosed for filing:

Applicant(s): Denis WOLEVER and Michael TALBOT

Title of the Invention: **EDIBLE FAT-BASED SHELL FOR CONFECTIONERIES AND  
METHOD FOR PRODUCING SAME**

**PATENT APPLICATION FEE VALUE**

TYPE	NO. FILED	LESS	EXTRA	EXTRA RATE	FEE
Total Claims	33	-20	13	18.00	\$ 234.00
Independent	3	-3	0	86.00	\$ 0.00
Minimum Fee					\$ 770.00
Multiple Dependency Fee If Applicable (\$290.00)					\$
Total					\$ 1004.00
50% Reduction for independent inventor, nonprofit organization or small business concern (verified statement as to the applicant's status is attached)					-\$
<b>TOTAL FILING FEE</b>					<b>\$ 1,004.00</b>

- ☐ **DO NOT PUBLISH.** I hereby certify that the invention disclosed in the attached application **has not and will not be** the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing. I hereby request that the attached application not be published under 35 U.S.C. 112(b).
- ☐ Priority of Application No. \_\_\_\_\_ filed on \_\_\_\_\_ is claimed under 35 U.S.C. § 119..
- ☒ Please charge the required fee to Winston & Strawn Deposit Account No. **50-1814**. A copy of this sheet is attached.

Respectfully submitted,



Allan A. Fanucci, Reg. No. 30,256  
**WINSTON & STRAWN**  
**CUSTOMER NO. 28765**

Date

3-12-04

EXPRESS MAIL LIST

To:  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450



The following items listed below are being filed herewith with the USPTO on March 12, 2004

Express Mail No. <b>EV 346 810 665 US</b>		
Attorney Docket No.	Appln. Serial No./ Patent No.	Items - Documents filed on <b>March 12, 2004</b>
88265-7735	<b>To be Assigned</b>	Utility Patent Application Transmittal (PTO /SB/05) Specification 20 pages including 33 claims Formal Drawings Figs 1-2C (2 sheet)s Patent Application Fee Sheet (in duplicate) Copy of Inventors' Declaration (2 pages) Unexecuted Information Disclosure Statement, Form PTO 1449 , 1 ref.

*Please acknowledge receipt of these items as received by returning  
the enclosed postcards with the date of receipt of March 12, 2004*

NY:846497.9